

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DANNY H. BRANDT,

Plaintiff,

v.

JOSEPH LEHMAN AND ALICE PAYNE,

Defendants.

Case No. C07-5308FDB

ORDER GRANTING  
APPLICATION TO PROCEED *IN*  
*FORMA PAUPERIS* AND  
DIRECTING INSTITUTION TO  
CALCULATE, COLLECT, AND  
FORWARD PAYMENTS

The Court, having reviewed plaintiff's application to proceed in forma pauperis, (Dkt. # 1), does hereby find and ORDER.

(1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. **As set forth below, an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of 20 percent of the preceding months income credited to his/her account until the full amount of the filing fee is satisfied.**

(2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial

1 filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the  
2 average monthly balance in the prisoner's account for the 6-month period immediately preceding the date  
3 of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

4 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to  
5 collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to  
6 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below  
7 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's  
8 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee  
9 described above. Finally, the monthly payments should be collected and forwarded to the court until the  
10 entire filing fee (\$350.00) for this matter has been paid.

11 (3) The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy  
12 of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion of the IFP  
13 application to the attention of the inmate account manager (IFP account manager) at the Western State  
14 Hospital.

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16 DATED this 2 day of July, 2007.

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18 /S/ J. Kelley Arnold  
19 J. Kelley Arnold  
20 United States Magistrate Judge  
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